

WENHAM BOARD OF SELECTMEN
Meeting of Tuesday October 15, 2013
Town Hall, 138 Main Street

Pursuant to the Open Meeting Law, M.G.L. Chapter 30 A, §§ 18-25, written notice posted by the Town Clerk delivered to all Board members, a meeting of the Board of Selectmen was held on Tuesday, October 15, 2013 at 7 pm.

In the absence of the Chair, and with a quorum present, Mr. Wilson called the Board of Selectmen meeting to order at 7:01 pm.

Selectmen Present: Patrick Wilson, Vice Chair; Jack Wilhelm, Secretary. Not Present: Ken Whittaker, Chair
Also Present: Mark Andrews, Town Administrator; David Genereux, Interim Finance Director, Baystate Municipal Accounting Group; Catherine Tinsley, Minutes Secretary

Public Information

Agenda
Draft Special Town Meeting Warrant
Finance Report

Abbreviations used

BOS Board of Selectmen
TA Town Administrator
HWRSC Hamilton Wenham Regional School Committee
STM Special Town Meeting

WELCOME AND OVERVIEW OF AGENDA

PUBLIC INPUT

Hamilton Selectmen Jennifer Scuteri and Scott Maddern were present and spoke in support of the renovation of the Veteran's Memorial Pool in Patton Park, encouraging the Town of Wenham to participate in the funding and use of the pool. The pool project is on the Hamilton STM Warrant for consideration.

Dennis Curran, Hamilton Wenham Joint Recreation Board opined that this was a "perfect project" for the use of CPA funds.

Michelle Bailey, Remington Road, referenced a previous meeting when the BOS announced a vacant seat on the HWRSC, asking if it had been determined if this was a Wenham or Hamilton appointment. Mr. Andrews responded it was a Wenham seat.

PRESENTATION BY GUESTS

ANNOUNCEMENTS

Mr. Wilson reported that the Penguin Hall (Essex Street) senior living project would not be going forward and briefly summarized that the financing for the construction could not be obtained. He noted that ideas and proposals continue to be considered by the property owner, Jim Mullen.

Mr. Wilhelm announced vacancies on the following Boards/Committees:

1. Cemetery Commission through April 5, 2014. The remaining two years on this term will be voted at the annual election.
 2. Zoning Board of Appeals - one member/ one alternate
 3. Historic District Commission – two members
 4. Hamilton Wenham Community Access Committee - two members
 5. School Committee (HWR) - one member (Wenham Appointment)
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- The Attorney General's office is holding a Massachusetts State Open Meeting Law Training Session on October 24, 2013 at North Shore Community College (Danvers Campus) Registration is required.
 - Massachusetts Area Planning Committee (MAPC) – A five year Energy Planning Forum is being held on October 17, 2013 at Salem State University

- The STM Warrant Hearing is October 29, 2013, at 7 pm in the Town Hall; Residents were encouraged to attend.
- The STM is November 5, 2013 at 7:30 pm in the Bessie Buker School
- The MAPC is holding a public forum regarding the development of the Hamilton / Wenham downtown district area (Main Street/Bay Road) in November.
- Trudy Reid, Town Clerk announced the last day to register to vote in the STM is October 25, 2013

NEW BUSINESS

Warrant Fall Special Town Meeting – November 5, 2013

The Selectmen reviewed the draft STM Warrant and took positions on each article. Paul Weaver, Town Counsel/Moderator was present and participated in the discussions. David Genereux talked about Articles 1-5 related to financial matters.

Article 1: Unpaid Obligations from Prior Fiscal Years

Mr. Genereux identified that \$1,851 from prior year bills were inadvertently omitted and not paid. The books have already been closed and Town Meeting approval is required to transfer balance to a liabilities account and pay the bills. Mr. Andrews recommended the BOS support this article.

Vote: Mr. Wilhelm moved, and it was seconded, to recommend favorable action to Town Meeting. The motion carried unanimously.

Article 2: Emergency Communications Center (FY 2014) – Budget Reduction

The Town budgeted its share of the (new) regional dispatch center but because this will be netted out of the Town's State Aid, this expense account will be reduced to zero.

Vote: Mr. Wilhelm moved, and it was seconded, to recommend favorable action to Town Meeting. The motion carried unanimously.

Article 3: Water Department (FY 2014) System Improvements

This is to authorize the transfer of \$12,055 from the Water Surplus Fund to the Water Department Capital Budget for the Department of Environmental Protection regulations regarding the water chlorination project.

Vote: Mr. Wilhelm moved, and it was seconded, to recommend favorable action to Town Meeting. The motion carried unanimously.

Article 4: Transfer from Assessors Overlay

This is to authorize the transfer of \$27,466.58 from the 2012 Assessors Overlay Account to the 2009 Assessors Overlay Account within the current FY starting July 1, 2013. This is a lawful deficit due to an abatement required by a successful appeal of the FY 2009 taxation of telephone poles and wires over public ways.

Vote: Mr. Wilhelm moved, and it was seconded, to recommend favorable action to Town Meeting. The motion carried unanimously.

Michael Harvey, School Superintendent was present to talk about the school projects in Articles 5-8. Articles 5 & 6 are Massachusetts School Building Authority (MSBA) Aided projects. The financing for the MSBA approved projects must be approved in full by Town Meeting vote, but the Towns will be reimbursed in part for the cost at 43 percent.

Article 5: Buker School Heating System Project - This is to replace three boilers in the Bessie Buker School; the final cost to be announced/ amended at Town Meeting. The School Committee will take a formal vote on Oct 24th, triggering the timeline for voting and bonding. Mr. Weaver noted that if Article 5 is passed, it may then be mandatory to install sprinklers (Article 8). The Fire Chiefs of the towns would be asked to rule in advance. He added that the replacement of the boilers does not change, enhance, or expand the size of the building. Fire Chief Blanchard will be asked to attend the next BOS meeting.

Vote: Mr. Wilhelm moved, and it was seconded, to recommend favorable action to Town Meeting. The motion carried unanimously.

Article 6: Winthrop School Heating System / Window (glass curtain/ exterior walls) replacement

Vote: Mr. Wilhelm moved, and it was seconded, to recommend favorable action to Town Meeting. The motion carried unanimously.

Article 7: Winthrop School Heating Distribution System Project

The scope of the work is limited to the boiler room; the \$875,000 is for the distribution only. Mr. Harvey noted this article is likely to not be needed at town meeting, explaining that the system is being cleaned and small upgrades will be phased in over the years.

Vote: Mr. Wilhelm moved, and it was seconded, to recommend at Town Meeting. The motion carried unanimously.

Article 8: Bessie Buker School Fire Suppression System Project

The project cost was underestimated and additional borrowing authorization is needed.

Vote: Mr. Wilhelm moved, and it was seconded, to recommend at Town Meeting. The motion carried unanimously.

Article 9: Animal Control Bylaw – To replace the local bylaw to follow the state laws, and adopt a new fee structure for “intact” dogs. Mr. Weaver said that the bylaw is drafted so that the Animal Control Officer would conduct animal control hearings but the BOS has the option to retain the hearing authority. He recommended that the BOS add Cemeteries to the list of public parks that dogs not be allowed to run free. The annual dog license fee would remain at \$10 for “fixed” dogs and increase to \$15 for “intact” dogs.

Vote: Mr. Wilhelm moved, and it was seconded, that the BOS be the Animal Control Hearing Officers and that dogs be restrained from running free in the cemeteries, as an addition to the proposed draft bylaw. The motion carried unanimously.

Vote: Mr. Wilhelm moved, and it was seconded, to recommend favorable action to Town Meeting. The motion carried unanimously.

The Special Election is December 12, 2013

Potential Proposition 2 ½ Debt Exclusion Ballot Questions:

1. Buker School Heating System
2. Winthrop School Heating System and Windows
3. Winthrop School Heating Distribution System
4. Buker School Fire Suppression System

Vote: Mr. Wilhelm moved, and it was seconded, to place (Potential) Proposition 2 ½ Debt Exclusion Questions on the Special Election ballot for December 12, 2013, pending affirmative vote at the STM.

The Town Clerk requested proof be provided to her office, either by a letter, or a copy of the (approved) minutes of the October 15, 2013 meeting, when the BOS officially voted to approve the ballot questions.

Vote: Mr. Wilhelm moved, and it was seconded, to authorize the Town Administrator to send confirmation to the Town Clerk. The motion carried unanimously.

REPORTS

Financial Report – Mr. Genereux reviewed the current financial report:

- The onsite/field work of the audit is complete. He specifically noted the report included the analysis as requested, for the contract billing from BMAG for financial services for FY14 (over the past three months). BMAG was on site for 157 hours and worked off site for 128.5 hours. In comparing the contract cost to a salary/benefited employee, the town has saved \$14,000 through the end of August.
- Ten tax takings for FY 2013 were completed and the Town is up to date on delinquent tax title accounts. Billing for 2014 taxes will be due May 1, 2014. The demand letters will be sent out by May 20, 2014 and any delinquent accounts will be in tax title by end of the FY on June 30, 2014.
- Free Cash computation for FY13 has been sent to the state for certification.
- Standard & Poors (independent credit ratings) did a “Surveillance Call” to the Town of Wenham as continuing disclosure and detailed analysis. Mr. Genereux said, “They were quite pleased”. If the Town starts to issue debt based on financials they would be interested in giving the town an upgrade.
- Mr. Genereux explained that the budget is not being adjusted at the STM e.g. new Inter Municipal Agreements (IMA) with Hamilton, as the Reserve Fund is capable of covering the expenses. The revenue of the new agreements has been adjusted in the budget. He asked for feed back from the BOS/ Finance Committee to reduce end of year transfers and put an article on the warrant for transfers.

Mr. Wilhelm asked for a summary of the IMA and what changed, how the changes impact the tax rate, the affect on the budget and the original town warrant expense / revenue projections and Reserve Fund Transfers.

Mr. Andrews announced the redevelopment of the Town’s web site is going forward. Training sessions for town employees continues, as he has asked Mary Morrow to assist with this initiative. Mr. Wilhelm asked for a projection of when the web site will be completed for the next meeting. Mr. Andrews indicated that he would keep the Board of Selectmen informed and he would report back at the next meeting.

Mr. Wilson proposed keeping the STM warrant open. The Town Clerk stressed the Warrant must be posted by 5 pm Tuesday.

The BOS will post a meeting for Friday if needed, noting the BOS can open the warrant until the posting.

Vote: Mr. Wilhelm moved, and it was seconded, to close warrant with understanding the BOS may re open it. The motion carried unanimously.

MINUTES - September 17, 2013

Vote: Mr. Wilhelm moved, and it was seconded, to approve the BOS meeting minutes of September 17, 2013. The motion carried unanimously.

Mr. Wilhelm moved at 8:27 pm to adjourn and it was unanimous to do so.

Respectfully submitted by

Catherine Tinsley
10.18.13